

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 11, 1991

ALL-COUNTY LETTER NO. 91-47

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY PROBATION OFFICERS
ALL COUNTY COUNSELS

SUBJECT: RELEASE OF CONFIDENTIAL INFORMATION TO THE OFFICE OF
INSURANCE AND RISK MANAGEMENT

REFERENCE: ACL NO. 89-72

The purpose of this letter is to clarify for county welfare departments (CWDs) what kinds of confidential information can be released from child welfare services (CWS) case records to the State Department of General Services, Office of Insurance and Risk Management (OIRM). The OIRM serves as the State Department of Social Services' (SDSS) agent for purposes of administration of the Foster Family Home and Small Family Home Insurance Fund (the Fund).

When a claim for payment is submitted to the Fund, the OIRM conducts a thorough investigation of the incident that led to the claim. This investigation is necessary to determine the nature and extent of any legal liability of the foster parents and the Fund.

Section 10850(b) of the Welfare and Institutions Code permits access by public agencies to confidential information for purposes directly connected with the administration of public social services. Because the OIRM administers the Fund and the Fund's activities fall within the definition of public social services, the OIRM can be provided with information which would otherwise be confidential.

Care should be taken, however, to provide only the confidential information necessary to investigate the claim. For example, confidential CWS information that relates directly to the incident that led to the claim should be provided, but information about the removal of the child from the child's parents should not.

When a request from OIRM is received, counties must review the CWS file to determine what information can be provided to the OIRM. Copies of relevant information pertaining to the incident

that led to the claim can then be provided to the OIRM; irrelevant information included within relevant information should be deleted. Under no circumstances should OIRM be given direct access to a CWS file. To ensure consistency in releasing information, CWDs may consider designating specific staff to review requests for information from the OIRM.

Questions about the confidentiality of CWS records should be addressed to your Child Welfare Services Operations consultant at (916) 445-0623 or ATSS 485-0623. Specific questions regarding administration of the Fund may be addressed to Ms. Helen Rogers, OIRM at (916) 445-2184 or ATSS 485-2184.



LOREN D. SUTER
Deputy Director
Adult and Family Services

cc: County Welfare Directors' Association
Ms. Helen Rogers, OIRM